

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:16-CR-60-1H

UNITED STATES OF AMERICA)
)
 v.)
)
WILLIAM ROBERT CANUPP)

PRELIMINARY ORDER AND JUDGMENT OF FORFEITURE

WHEREAS, pursuant to the entry of the Memorandum of Plea Agreement by the defendant, William Robert Canupp, on March 14, 2017, the Court finds that the following property is hereby forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C), to wit:

A) **FORFEITURE MONEY JUDGMENT** - in the amount of \$577,595.00, representing the proceeds of the offenses set forth in Counts One thru Forty-Seven, an amount not currently in the possession of or its whereabouts known to the Government;

B) **REAL PROPERTY** - real property located at 136 Red Barn Road, Hubert, North Carolina 28539, being legally described in Deed Book 2401, Pages 636-638 of the Onslow County Register of Deeds, North Carolina; and

C) **PERSONAL PROPERTY** - a 2009 Jeep Wrangler Unlimited, VIN: 1J4GA39169L761257, and a 2010 BMW 328I, VIN: WBAPH7G56ANM50402;

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of

said property, pursuant to 18 U.S.C. § 981 (a) (1) (C), as allowed by Fed. R. Crim. P. 32.2 (c) (2);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant, William Robert Canupp, the United States is hereby AUTHORIZED to seize the above-stated real and personal property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P. 32.2(b) (3). In addition, JUDGMENT is entered for the amount of the gross proceeds, that is, \$577,595.00, as allowed by Fed. R. Crim. P. 32.2(b) (2) (A). In accordance with Fed. R. Crim. P. 32.2(b) (4) (A), this Order and Judgment is final as to the defendant upon entry.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order and Judgment of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b) (4) (B).

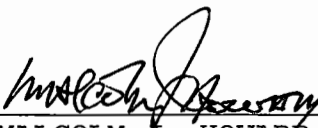
3. With regard to the real and personal property, pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General, the United

States Department of Treasury, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c).

SO ORDERED. This 15th day of May 2017.


MALCOLM J. HOWARD

Senior United States District Judge